

by” line. The designated official shall maintain records adequate to support derivative classification actions.

(2) Guidance concerning the identification of the classification authority on electronically transmitted messages is contained in § 159a.32(h).

(3) Guidance concerning the identification of the classification authority on DoD documents that contain only foreign or NATO classified information is contained in § 159a.77(d).

(f) *Wholly Unclassified Material.* Normally, unclassified material shall not be marked or stamped “Unclassified” unless it is essential to convey to a recipient of such material that it has been examined with a view to imposing a security classification and that it has been determined that it does not require classification. However, the marking “Unclassified” may be applied to formerly classified material.

§ 159a.32 Specific markings on documents.

(a) *Overall and Page Marking.* Except as otherwise specified for working papers, the overall classification of a document, whether or not permanently bound, or any copy or reproduction thereof, shall be conspicuously marked, stamped or affixed permanently at the top and bottom on the outside of the front cover (if any), on the title page (if any), on the first page, and on the outside of the back cover (if any). Each interior page, except those that are blank, shall be marked top and bottom according to its content, to include “Unclassified” when no classified information is contained on such a page. Alternatively, the overall classification of the document may be conspicuously marked or stamped at the top and bottom of each interior page when such marking is necessary to achieve production efficiency and the particular information to which classification is assigned is otherwise sufficiently identified consistent with the intent of paragraph (c) of § 159a.32. In any case, the classification marking of a page shall not supplant the classification marking of portions paragraph (c) of this section of the page marked with lower levels of classification.

(b) *Marking Components.* The major components of some complex docu-

ments are likely to be used separately. In such instances, each major component shall be marked as a separate document in accordance with § 159a.31. Examples include each annex, appendix, or similar component of a plan, program, or operations order; attachments and appendices to a memorandum or letter; and each major part of a report. If an entire major component is unclassified, the first page of the component may be marked at the top and bottom with the designation “UNCLASSIFIED” and a statement included, such as, “All portions of this (annex, appendix, etc.) are UNCLASSIFIED.” When this method of marking is used, no further markings are required on the unclassified major component.

(c) *Portion Marking.* (1) Each section, part, paragraph, or similar portion of a classified document shall be marked to show the level of classification of the information contained in or revealed by it, or that it is unclassified. Portions of documents shall be marked in a manner that eliminates doubt as to which of its portions contains or reveals classified information. Classification levels of portions of a document, except as provided in paragraph (e) of this section, shall be shown by the appropriate classification symbol placed immediately following the portion’s letter or number, or in the absence of letters or numbers, immediately before the beginning of the portion. In marking sections, parts, paragraphs, or similar portions, the parenthetical symbols “(TS)” for Top Secret, “(S)” for Secret, “(C)” for Confidential, and “(U)” for unclassified, shall be used. When appropriate, the symbols “RD” for Restricted Data and “FRD” for Formerly Restricted Data shall be added, for example, “(S-RD)” or “(C-FRD).” In addition, portions that contain Critical Nuclear Weapon Design Information (CNWDI) will be marked “(N)” following the classification, for example, “(S-RD)(N).”

(2) Portion marking of DoD documents containing foreign government information shall be in accordance with § 159a.77(d).

(3) Illustrations, photographs, figures, graphs, drawings, charts and similar portions of classified documents will be clearly marked to show

their classification or unclassified status. Such markings shall not be abbreviated and shall be prominent and placed within or contiguous to the portion. Captions of such portions shall be marked on the basis of their content alone by placing the symbol "(TS)," "(S)," "(C)," or "(U)" immediately preceding the caption.

(4) If, in an exceptional situation, parenthetical portion marking is determined to be impracticable, the document shall contain a statement sufficient to identify the information that is classified and the level of such classification. Thus, for example, each portion of a classified document need not be marked separately if all portions are classified at the same level, provided a statement to that effect is included in the document. In the case of classified compilations, the explanations required by paragraph (d) of this section meet this requirement.

(5) When elements of information in one portion require different classifications, but segregation into separate portions would destroy continuity or context, the highest classification required for any item shall be applied to that portion or paragraph.

(6) Waivers of the foregoing portion marking requirements may be granted for good cause. Any request by a DoD Component senior official for a waiver of portion marking requirements shall be submitted to the DUSD(P) and include the following:

(i) Identification of the information or class of documents for which such waiver is sought;

(ii) Detailed explanation of why the waiver should be granted;

(iii) The Component's judgment of the anticipated dissemination of the information or class of documents for which the waiver is sought, and

(iv) The extent to which such information subject to the waiver may be a basis for derivative classification. Waivers shall be granted only upon a written determination by the DUSD(P) as the designee of the Secretary of Defense, that there will be minimal circulation of the specified documents or information, and minimal potential usage of these documents or information as a source for derivative classification determinations; or there is

some other basis to conclude that the benefits of portion marking are clearly outweighed by the increased administrative burdens. The granting and revocation of portion marking waivers shall be reported to the Director of the ISOO by the DUSD(P).

(d) *Compilations*—(1) *Documents*. When classification is required to protect a compilation of unclassified information pursuant to §159a.15(1), the overall classification assigned to such documents shall be placed conspicuously at the top and bottom of each page and on the outside of the front and back covers, if any, and an explanation of the basis for the assigned classification shall be included on the document or on its text.

(2) *Portions of Documents*. If a classified document contains particular portions that are unclassified when standing alone, but classified information will be revealed when they are combined or associated, those portions shall be marked as unclassified, the page shall be marked with the highest classification of any information on or revealed by the page, and an explanation shall be added to the page, or to the document, to explain the classification of the combination or association to the holder. This method of marking also may be used if classified portions on a page, or within a document, will reveal information of a higher classification when they are combined or associated than when they are standing alone.

(e) *Subjects and Titles of Documents*. Subjects or titles of classified documents shall be marked with the appropriate symbol, "(TS)," "(S)," "(C)," or "(U)" placed immediately following and to the right of the item. When applicable, other appropriate symbols, for example, "(RD)" or "(FRD)," shall be added. (Subjects or titles of documents should be unclassified, if possible.)

(f) *File, Folder, or Group of Documents*. When a file, folder, or group of classified documents is removed from secure storage it shall be marked conspicuously with the highest classification of any classified document included therein or shall have an appropriate classified document cover sheet affixed.

(g) *Transmittal Documents.* A transmittal document, including endorsements and comments when such endorsements and comments are added to the basic communication, shall carry on its face a prominent notation of the highest classification of the information transmitted by it, and a legend showing the classification, if any, of the transmittal document, endorsement, or comment standing alone. For example, an unclassified document that transmits as an attachment a classified document shall bear a notation substantially as follows: “UNCLASSIFIED WHEN SEPARATED FROM CLASSIFIED ENCLOSURE.”

(h) *Electronically Transmitted Messages.* (1) The copy of a classified message (for example, DD Form 173, Joint Messageform) approved for electronic transmission and maintained as the record copy shall be marked as required by § 159a.31(d) for other documents. Additionally, copies not electronically transmitted (such as, mail and courier copies) shall be marked as required by § 159a.31(d).

(2) The first item of information in the text of a classified electronically transmitted message shall be its overall classification. Paper copies of classified electronically transmitted messages shall be marked at the top and bottom with the assigned classification. Portions shall be marked as prescribed herein for paper copies of documents. When such messages are printed by an automated system, classification markings may be applied by that system, provided that page markings so applied are clearly distinguishable on the face of the document from the printed text.

(3) The originator of a classified electronically transmitted message shall be considered the accountable classifier under § 159a.15(a). The highest level official identified on the message as the sender or, in the absence of such identification, the head of the organization originating the message, is deemed to be the classifier of the message. Thus, a “Classified by” line is not required on such messages. The originator is responsible for maintaining adequate records as required by § 159a.31(d)(2) to show the source of an assigned derivative classification.

(4) The last line of text of a classified electronically transmitted message shall show the date or event for downgrading, if appropriate, and the date or event for automatic declassification or “Originating Agency’s Determination Required,” by abbreviated markings from § 159a.34. The foregoing is not required for messages that contain information identified as Restricted Data or Formerly Restricted Data.

(5) Any document, the classification of which is based solely upon the classification of the content of a classified electronically transmitted message, shall cite the message on the “Classified by” line of the newly created document.

(i) *Translations.* Translations of U.S. classified information into a language other than English shall be marked to show the United States as the country of origin, with the appropriate U.S. classification markings and the foreign language equivalent thereof (see Appendix A to this part).

§ 159a.33 Markings on special categories of material.

(a) *General Provisions.* Security classification and applicable associated markings (see § 159a.31(d) and § 159a.33(k)) assigned by the classifier shall be conspicuously stamped, printed, written, painted, or affixed by means of a tag, sticker, decal, or similar device, on classified material other than paper copies of documents, and on containers of such material, if possible. If marking the material or container is not practicable, written notification of the security classification and applicable associated markings shall be furnished to recipients. The following procedures for marking various kinds of materials containing classified information are not all inclusive and may be varied to accommodate the physical characteristics of the material containing the classified information and to accommodate organizational and operational requirements.

(b) *Charts, Maps, and Drawings.* Charts, maps, and drawings shall bear the appropriate classification marking for the legend, title, or scale blocks in a manner that differentiates between